

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

CHARLES D. AIRY,

Petitioner,

No. C 11-1007 PJH (PR)

vs.

ORDER EXTENDING TIME

KATHLEEN L. DICKINSON, Warden,

Respondent.

This is a habeas case filed pro se by a state prisoner. In the initial review order the court ordered respondent to show cause why the petition should not be granted. Respondent moved to dismiss on grounds that the petition was second or successive. Petitioner then pointed out that the first petition to which respondent referred was not his, but was his father's, who also is a state prisoner. Respondent has withdrawn the motion to dismiss and requested additional time to answer the order to show cause.

The motion for an extension of time is **GRANTED**. The time for respondent to show cause is **EXTENDED** to a date thirty days from the date this order is entered.

IT IS SO ORDERED.

Dated: September 20, 2011.



PHYLLIS J. HAMILTON
United States District Judge